

01-07-02

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/942,336
	Filing Date	August 29, 2001
	First Named Inventor	Tetsuo Ashizawa
	Group Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	Attorney Docket Number	HO-P02039US1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney executed by Baylor Sr. VP & General Counsel <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) Transmittal of sequence listing Paper copy of sequence listing CRF copy of sequence listing Copy of Notice of Missing Parts Check for \$65 Return postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	FULBRIGHT & JAWORSKI L.L.P. Melissa L. Sistrunk
Signature	
Date	December 21, 2001

Transmittal	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ET575253660US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.	
Dated: December 21, 2001	Signature:  (Susan Hunter)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ET575253660US, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: December 21, 2001

Signature: Susan Hunter  
(Susan Hunter)

Docket No.: HO-P02039US1  
(PATENT)

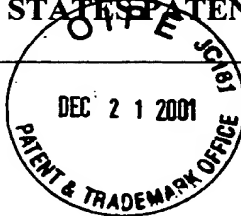
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Tetsuo Ashizawa, et al.

Application No.: 09/942,336

Filed: August 29, 2001

For: DNA TEST FOR SCA-10



Group Art Unit: N/A

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

**Box Missing Parts**  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed October 29, 2001, Applicant respectfully submits a Declaration executed by the inventors, and a Power of Attorney executed by Baylor College of Medicine Sr. Vice President and General Counsel, W. Dalton Tomlin.

A sequence listing is also enclosed under a separate transmittal.

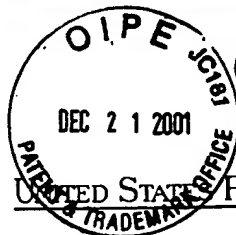
Our check in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(e) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. 10023139. A duplicate copy of this paper is enclosed.

Dated: December 21, 2001

Respectfully submitted,

By Melissa L. Sistrunk  
Melissa L. Sistrunk

Registration No.: 45,579  
FULBRIGHT & JAWORSKI L.L.P.  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
(713) 651-5151  
(713) 651-5246 (Fax)  
Agent for Applicant

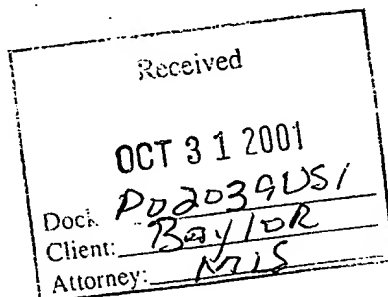


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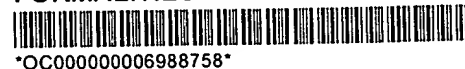
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/942,336	08/29/2001	Tetsuo Ashizawa	HO-P02039US1 (10023139 /

26271  
FULBRIGHT & JAWORSKI, LLP  
1301 MCKINNEY  
SUITE 5100  
HOUSTON, TX 77010-3095



CONFIRMATION NO. 7107

FORMALITIES LETTER



\*OC000000006988758\*

Date Mailed: 10/29/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

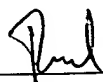
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

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*A copy of this notice MUST be returned with the reply.*

A handwritten signature in dark ink, appearing to be 'Paul', is written above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ET575253660US, in an envelope addressed to: Box Sequence, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: December 21, 2001

Signature:

*Susan Hunter*  
(Susan Hunter)

Docket No.: HO-P02039US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Tetsuo Ashizawa, et al.

Application No.: 09/942,336

Group Art Unit: N/A

Filed: August 29, 2001

Examiner: Not Yet Assigned

For: DNA TEST FOR SCA-10

**TRANSMITTAL OF INITIAL SEQUENCE LISTING**

**Box Sequence**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

This is in response to the Notice of Missing Parts dated October 29, 2001.

Enclosed are the following:

- Initial paper copy of sequence listing;
- Initial computer readable form copy of sequence listing;

Applicants respectfully request the entry of the present statement in regard to the enclosed sequence listing in the above-referenced application.

Applicants state the information recorded in the computer readable form copy of the sequence listing is identical to the paper copy of the sequence listing.

Applicants also state that the submission does not include new matter.

Applicants respectfully request the above-referenced patent application be placed upon the files for examination.

Dated: December 21, 2001

Respectfully submitted,

By *Melissa L. Sistrunk*  
Melissa L. Sistrunk

Registration No.: 45,579  
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Attorneys for Applicant